Single Bench

C.F. (1) (3)

IN THE HIGH COURT OF CHHATTISGARH
AT BILASPUR

W.P. No. 4383 /2004

Petitioner : SUMAN SHRIVASTAVA
aged about 44 years,
D/o Late Shri M. D. Shrivastava,
Occupation - Govt. Service,
R/o 15/43, East of Nirmala School,
Nirmala Sector, Dalli Rajhara
Distt. Durg (C.G.)

P.R. No. 4380/04
Presented by Shri Ayaz Nayee
dated 07/12/04

VERSUS

Respondents :

1. State of Chhattisgarh
Through Secretary,
Tribal Development Department,
D.K.S. Bhawan, Raipur,
Distt. Raipur (C.G.)

2. Commissioner,
Tribal Development,
Raipur (C.G.)

3. Asstt. Commissioner,
Tribal Development,
Durg (C.G.)

4. Principal,
Govt. Model Higher
Secondary School, Daundi,
Distt. Durg (C.G.)

5. Shri Maheshwar Singh Kanwar,
Upper Division Teacher,
Higher Secondary School,
Aundhi, Block Manpur,
Distt. Rajnandgaon (C.G.)

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WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE APPROPRIATE WRIT, ORDER OR DIRECTION.

(50)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4383/04 रजू 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

09-12-2004

Shri Ayaz Naved, Counsel for the petitioner.

Shri Sudhir Agrawal, Panel Lawyer for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from District Durg to District Rajnandgaon vide order dated 24-9-2004 (Annexure-P/3). He also submits that the petitioner is unmarried lady. He also submits that after the death of her father, there is no male member in the family of the petitioner. He also submits that the petitioner's mother is suffering from mental disorder and her treatment is going on. Annexure-P/2 is the medical document. He also submits that for the present the petitioner may be given an opportunity of filing a detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising her grievances before the competent authority of the respondents along with a copy

(51)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4383/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observation, this petition stands disposed of.

Consequently, M.W.P.No.4734/2004 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Gowri